

**MEETING MINUTES – APRIL 12, 2000  
FORMER LAKE ONTARIO ORDNANCE WORKS SITE (LOOW)  
RESTORATION ADVISORY BOARD**

**To: Restoration Advisory Board Members and Interested Parties**  
**From: Ray Pilon, U.S. Army Corps of Engineers, Project Manager**  
**SUBJECT: Minutes of April 12, 2000 RAB Meeting**

<b>RAB Members Present :</b>	<b>Affiliation:</b>
Stephen Yaksich, Government Co-Chair	US Army Corps of Engineers
Lawrence Brennen	Community Member
Gary Smith	Modern Corporation
Charles Lamb	Town of Porter
Thomas Freck	Community Member
Nona McQuay	Community Member
Paul Dicky	Niagara County Health Department
Bruce Mero	U.S. Air Force
Daniel Serrianni, Jr.	Community Member
Rebecca Zayatz	Chemical Waste Management, Inc.
Mike Basile	USEPA
Walter Polka	Community Member
Neil Patterson, Jr.	Community Member
John Syms	Somerset Group
William Roger Angus	Community Member
Darwin James Langlois	Town of Lewiston
Kent Johnson	NYSDEC
Martin Hodgins	Community Member
Wade Cook for Edward Lilly	Community Member
<b>RAB Members Absent :</b>	
Tim Henderson	Community Member
Clyde Johnston, Jr.	Community Member
Nils Olsen	Community Member

Introduction and Welcome - Call Meeting to Order at 7:00 P.M. by Ms. Arleen Kreusch

- The meeting was called to order and began by having the RAB members and guests introduce themselves.
- The minutes from the last meeting were amended to change Dr. Dicky to Mr. Dicky, and then they were approved.
- Action Items from last meeting were reviewed.
- Vote on the Operating Rules.

- The Lake Ontario Ordnance Works History Search Report is available in the Lewiston Library and also on the Corps of Engineers website (<http://www.lrb.usace.army.mil/loow/>)
- The Corps plans to interview over 40-46 people who worked onsite in mid-summer. A news advertisement will be prepared asking people who are interested in an interview to call us.

Mr. Paul Dicky, Niagara County Health Department – Passed out handouts on latest health reports done by New York State Department of Health on various Cancers that are sorted by zip codes. Further studies are to be done to include other target cancers. Mr. Dicky will keep the board aware of these studies as they are released.

Slide Presentation - Corps of Engineers provided an overview of activities associated with the DERP-FUDS Program at the former Lake Ontario Ordnance Works Site and the FUSRAP Program at the Niagara Falls Storage Site.

A brief five (5) minute question and answer period followed the presentation to address specific questions of any Board member. A summary of questions and responses is presented in Table 1.

**TABLE 1**  
**Questions and Answers from Restoration Advisory Board Members**

<b>COMMENT</b>	<b>RESPONSE</b>
Question from Charles Lamb: Expressed concern with Operating Rules in that an Advisory Board cannot give advice, opinions, comments as a Body. Maybe we should call the Board by another name?	Response by Michelle Barczak, Counsel, Corps of Engineers - explained that legal guidance dictates that funding is given to an Advisory Board to receive input from each Board member as an individual. The Board may inform the public and community only. If the Board wishes to choose another name, it can.
Question from Nona McQuay: Will other cancers be broken down into zip codes? The committee is interested in this information.	Response by Paul Dicky: Colo-rectal cancer will be next and what will be covered next is unknown.
Question from Paul Dicky: Who owns the Castle Garden Dump Property?	Response from Bill Kowalewski: Chemical Waste Management owns the property.

**TABLE 1 (cont'd)**  
**Questions and Answers from Restoration Advisory Board Members**

Question from Kent Johnson: Are funds available?	Response from Bill Kowalewski: Yes, funds are available. Response from Ray Pilon: We have sufficient funds to continue on with the Phase 2 Remedial Investigation and also complete the TNT pipeline removal project. We will only fund the work that can be executed during this fiscal year and not fund work that can be funded next fiscal year. This process will allow us to use funds as efficiently as possible.
Question from Rebecca Zayatz: Is there any new information available on the Mapping Activity?	Answer from Bill Kowalewski: No new information is being added. Due to the large volume of reports, the Contractor has been asked to start with the existing data. We plan to take 1000's of pages down to a few graphics.
Question from Gary Smith: What is buried there?	Answer from Bill Kowalewski: Chlorinated solvents, boron, volatile organic contaminants, and semi-volatile contaminants, metals. We may find anything buried there.
Question from Rebecca Zayatz: Is the cleanup not inclusive of asbestos?	Answer from Bill Kowalewski: Nothing is being ruled out because of asbestos.
Question from Thomas Freck: Why are they spending dollars to remove TNT lines when they may not find any?	Answer from Bill Kowalewski: TNT may be found but we will not know until we dig up the lines. PCB's are reasonably expected to be found.
Question from William Roger Angus: Has there been any documentation found to indicate there is Cesium on the site?	Answer from Judy Leithner: We have not found any documentation thus far but continue to review documents as they are discovered.
Question from Charles Lamb: Am I to understand that the Board can only vote on administrative matters, and comment but cannot vote. Asked the other Board members how they felt about voting on the Operating Rules.	Answer from: Michelle Barczak : Yes.  (Rebecca Zayatz): If we vote as a group on technical matters, who is considered as a community member?

7:45 p.m. Questions Taken from the Audience:

### Question and Answers from Public Audience

COMMENT	RESPONSE
1. Question by Linda Shaw (Somerset Group)- Are the owners of the Somerset property to comply with OSHA and DOD guidelines including Asbestos, safety issues? Was the Somerset site 1998 Asbestos Removal Project safely completed within OSHA guidelines and DOD policy? Asked for a copy of the applicable guidelines and DOD policy.	<p>Answer by Bill Kowalewski – There are no known violations, the project complied with OSHA and DOD guidelines.</p> <p>MFR: A copy of the DOD policy was provided to Ms. Shaw.</p>
<p>2. Question by Joan Broderick (resident) - Cited inconsistencies in 97 and 98 Reports. Specifically:</p> <ul style="list-style-type: none"> <li>the 97 Report refers to Table 4 on page 12 but there was no Table 4 in her copy.</li> <li>References Page 16 concerning Groundwater Flow direction on maps.</li> <li>Figures 3 and 4, 5 and 6 are transposed.</li> <li>Why is the evaluation from 98 in the 97 report, shouldn't it be reversed?</li> <li>There is no Figure 7 in the 98 report concerning analytical results of total uranium in the groundwater.</li> <li>Were the test results coming from another site?</li> <li>Vanadium was detected in all eight wells in the 97 report, but only detected in one of eight wells in the 98 report.</li> <li>Requested a copy only of the 98 Report.</li> </ul>	<p>Answer by Judy Leithner – There were clerical errors in the reports and on the website and corrections have been made. They were not intentional.</p> <p>Judy explained that the 98 report would have the previous 97 data included in it. Agreed to send Ms. Broderick an updated copy of the 98 report.</p> <p>Arleen Kreusch asked Ms. Broderick to clarify her questions as pertaining to the LOOW site or the Niagara Falls Storage Site (FUSRAP)? They are two different projects.</p>
3. Question by Marn Weld (resident) – Is new to the area and would like to be reassured that we won the war so to speak so now we have to clean up the mess. Love Canal in Niagara Falls as an example of the government doing an efficient job. Would like to be reassured that the system works. Nervous about mapping efficiency and sharing information. Does the right hand know what the left hand is doing?	<p>Response by Nona McQuay – The library has a good record with maps that are especially easy to read along with a fascinating history. Commends the compilation of progress.</p>

### Question and Answers from Public Audience (cont'd)

<p>4. Question by Mary Ann Rolland – Town of Porter- Is the Somerset parcel cleaned up?</p>	<p>Answer by Bill Kowalewski – The area along the Chemical Waste Sewerline has been cleaned up. Other areas are scheduled to be investigated in the Remedial Investigation. The parcel has not been closed out.</p>
<p>5. Question by Carol Stein – USEPA – Why is the funding being used for only one year and not two years? The EPA funds their projects for two years. It would save time to include Somerset this year.</p>	<p>Answer by Ray Pilon – We have determined that we need 2 million dollars for the Remedial Investigation. We have not received the Right-of-Entry for the Somerset property today. Funds in the amount of 1.4 million dollars are for FY00 and the remaining funds will be obtained in FY01. The money is needed to fund other projects. The dollars will be there next Fiscal Year.</p> <p>Michelle Barczak – DERP funding is funded annually by Congress and appropriated through 30 September. The dollars are supposed to be used during each fiscal year and not carried over. The program is designed to best maximize the dollars.</p>
<p>6. Question by unnamed resident- Is there any work being done on the north side of Balmer Road? The Town is telling him he does not own 110 feet of his property.</p>	<p>Answer by Bill Kowalewski – No work is being currently done on the north side. See documents in the library. There is property located on the north side that is being used by the Army National Guard. Call the Connecticut Street Armory for assistance.</p> <p>MFR: Ray Pilon provided a telephone number for him to call Sgt. Joe Franco or Sgt. Major Bullock.</p>
<p>7. Question by Carol Stein – USEPA – With the NFSS Phase I done, and Phase II to be done, where are the samples coming from?</p>	<p>Answer by Judy Leithner – Samples are being taken in a 30 foot radius except in the cell.</p> <p>We will have a 3 dimensional view at the next meeting. Each sample shows up above regulation limits. We will include a pipe network. Found a low level of radiation on the west portion of the project. Samples will be taken offsite also.</p>
<p>8. Question by Rebecca Zayatz – Chemical Waste Management, Inc. – Will we receive a copy of the questions asked tonight?</p>	<p>Answer by Arleen Kreusch – Questions and answers will be mailed to everyone here tonight.</p>

### Question and Answers from Public Audience (cont'd)

9. Question by Charles Lamb – Town of Porter – Request a copy of the 3/20/00 letter concerning the project moving forward.	Answer by Kent Johnson – NYSDEC – The concerns will be discussed at Thursday's (4/13) Meeting.
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8:15 p.m. Arleen Kreusch: Asked if the Board will sign the Operating Rules. Mr. Lamb has declined to sign as they are now. Still confused as to why the Board can't offer advice. Michelle Barczak explained that the Board can discuss and comment on any issue but cannot advise as a whole. The RAB is limited by regulation.

Arleen explained that the Board can vote on Administrative matters, and minutes. It was decided that any member who is not a representative of the State or Government is a community member. Arleen asked if the Board will sign the rules if the one change is made?

Mr. Lamb agreed if the Board was given enough time to express their opinions.

William Roger Angus: Asked if a motion was made on an issue can we have the opinion of the group?

Michelle Barczak: As long as it is not an official function of the body.

Ray Pilon explained that as the rules stand now, A majority can approve any motion. No limitations.

Arleen will make the changes and bring to the next meeting to sign.

Arleen Kreusch: The Board accepted the resignation of Theresa Mudd and will send a Letter of Appreciation to her for all her assistance.

It was asked if there was a need to replace her. Guidance suggests not more than 20 members, this will be decided at the next meeting. Will poll applications for any interest to review at the next meeting.

Since Therese Mudd was a representative of the local community a replacement should be sought that will represent the local community.

#### **Action Items :**

- Pursue further interest into the Zip Code Health Study. They are interested in obtaining any studies as they become available.

Next Meeting Scheduled for July 12, 2000.

**Agenda Items for the next meeting are :**

- Will follow the same Agenda format.
- Get Operating Rules signed.
- Discuss replacement of Therese Mudd.
- Publish comments and questions from June interviews of onsite workers.
- Update on Contractor's List:
  - Maxim
  - Sevenson
  - EA Engineering, Science and Technology
  - SAIC

8:45 p.m. **Meeting was adjourned.**

# **LIST OF GUESTS PRESENT (4/12/2000)**

<b>Guests Present:</b>	<b>Affiliation:</b>
Pam Kowalik	Buffalo News
Don Hetzner	SBK Environmental, Inc.
Michelle Rhodes	USACE
Sanford J. Freedman	Self
Paula Evans	USACE
Brian Moore	USACE
Linda Shaw	Somerset Group
Jeff Salvatore	Hasley Construction
Bill Kowalski	Self
Daniel Riker	Malcolm Pirnie
Richard Owen	Self
Karen Stuart Keil	Self
Judy Leithner	USACE
Tone Leithner	Self
Alan Warminski	USACE, Baltimore District
Chuck Basham	USACE, Baltimore District
Gordy Porter	EA Engineering
Sandy Staigerwald	EA Engineering
Kenneth Veihdeffer	Self
Steven Stumpf	Niagara Frontier Wildlife
Mary Ann Rolland	Town of Porter Brownfields
Carol Stein	USEAP
Drew Rak	USACE, Baltimore District
Phyllis Della Camera	USACE, Baltimore District
Craig Georg	USACE, Baltimore District
Joan Broderick	Self
Rosalie J. Hetzner	Self
Brice Kohn	SBK Environmental
Richard C. Williams	Self
Lisa Danish	Niagara Gazette
Marn A. Weld	Self
Michelle Barczak	USACE
Arleen Kreusch	USACE, CT
Julie Zielinski	USACE
Cheryl Michener	USACE
Ray Pilon	USACE
Bill Kowalewski	USACE